



CLEAR CHANNEL TELEVISION, INC.

May 16, 1995

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William F. Caton
Secretary
Federal Communications Commission
1919 M Street, N.W. Mail Stop 1170
Washington, DC 20054

Re: Review of the Commission's Regulations Governing Television
Broadcasting (MM Docket No. 91-221)

Television Satellite Stations Review of Policy and Rules (MM Docket No.
87-8)

Further Notice of Proposed Rule Making (FCC 94-322)

Dear Mr. Caton:

Please accept the attached original comments with nine copies for filing for the above-captioned rulemaking. As allowed under the rules, please distribute one copy to each commissioner.

Very truly yours,

Kenneth E. Wyker
Vice President for Legal Affairs

KEW/bfw

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In the Matter of)
)
Review of the Commission's Regulations)
Governing Television Broadcasting)
)
Television Satellite Stations)
Review of Policy and Rules)

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MM Docket No. 91-221

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Directed to: The Commission

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COMMENTS

Clear Channel Television Licenses, Inc. ("CCTL") hereby respectfully submits its individual Comments in response to the Further Notice of Proposed Rule Making (FNPRM), FCC 94-322 (released January 17, 1995), in the above-captioned consolidated proceeding.

CCTL is a member of the Local Station Ownership Coalition and has, as a member of that coalition, made its comments concerning the Commission's local ownership rule supporting reforms to allow common ownership of two broadcast television stations and/or ownership with Local Marketing Agreements per market. The purpose of this submission is to submit our comments concerning the national ownership limits.

CCTL submits that the ownership limit of twelve stations nationwide is artificial and antiquated. The Federal Communications Commission's stated goal of the national ownership limits is to insure that a substantial number of different voices reach the population ("diversity") and to foster competition. In today's competitive environment, the limit of twelve stations is irrelevant to both goals.

The only test that effectively and equitably insures different voices reach the population of the nation is a percentage test. The twelve station limit suggests that owning one station in each of the top twelve markets is equal to owning twelve stations in the bottom twelve markets, when these ownership positions are clearly radically different. CCTL suggests that no party should be able to own broadcast television signals that reach more than 30% of the populace of the nation (which

would insure diversity), and that the limitation on the number of television stations that may be owned by one party be abolished. Any further control that may be necessary should be adequately provided by the federal anti-trust laws, already established to prevent an undue market concentration of economic power.

Abolishing the limit on the number of stations that may be owned by one party does not only remove an obstacle to competition, but more than that, it has become an economic necessity that will not only foster competition, but also maintain its integrity. Broadcast owners are facing ever-increasing competition from numerous sources of video suppliers that have no national limits on their ability to provide programming, (for example, cable television, direct broadcast satellite ("DBS"), wireless cable, videocassette recordings, and, soon to come, telephone companies). Artificial ownership restrictions on national broadcast television ownership places free over the air television at a tremendous disadvantage to its new competitors, who can use economies of scale to their advantage in ways television broadcasters cannot. Thus, new rules are necessary.

Further, it is important to note that television broadcasters do not only compete with all other video providers. Broadcast television stations sell only their advertising time. As such, they compete with all other providers of advertising time, such as newspapers, billboards, magazines and direct mail, none of which (except for federal anti-trust laws) are artificially barred from national ownership, and, unlike broadcast television, many of these competitors have other sources of revenue beyond advertising.

To foster equitable competition among the many varied sources of video programming and advertising sources, the artificial restriction of the number of stations owned must be eliminated. This, along with barring any owner from reaching more than 30% of the nation's populace (and federal anti-trust laws) would be more than sufficient to insure diversity is enhanced by allowing free

over the air broadcast television to survive and, hopefully, flourish by fostering competition on an even footing with its competitors.

Respectfully submitted,

Clear Channel Television Licenses, Inc.

A handwritten signature in black ink, appearing to read "L. Mays", written over a horizontal line.

By: L. Lowry Mays
Chief Executive Officer